

Senator Grace moved to amend Senator Smith's motion by adding to recommit the bills.

Accepted by Senator Smith.

Senator Crain moved that the Senate go into Committee of the Whole.

Lost.

Senator Carroll in the chair.

Senator Edwards withdrew his motion to adopt minority report.

The bill was recommitted to Judiciary Committee No. 1.

President *pro tem.* in the chair.

Senator Edwards, from the Committee on Engrossed Bills, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate :

Your Committee on Engrossed Bills have carefully read, examined and compared the following bills and find them correctly engrossed: Senate Bill No. 97, "An Act to amend Section 1 of 'An Act to provide for a change of venue in civil cases,' approved April 7, 1874: Senate Bill No. 96, "An Act to amend the penal code of the State of Texas," approved Aug. 26, 1856; Senate Bill No. 102, "An Act to amend Article 393 of 'An Act to adopt and establish a penal code for the State of Texas,'" approved Aug. 28, 1856; Senate Bill No. 85, "An Act to amend Section 138 of an act entitled, "An Act to regulate proceedings in the District Courts," approved May 13, 1846.

EDWARDS, *for Committee.*

Senator Piner moved that the Senate adjourn until Monday morning at 9 o'clock.

Senator Crain moved to amend by inserting 10 o'clock instead of 9 o'clock.

Carried.

Senate adjourned until 10 o'clock Monday morning.

FIFTY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 26, 1876. }

Senate met pursuant to adjournment. Roll called. Quorum present
Prayer by the Chaplain.

Journal of Saturday adopted.

President in the chair.

The President, after publicly reading its caption, signed Senate Bill No. 289, "An Act to establish the office of Notary Public as it existed prior to the adoption of the present Constitution."

Senator McCulloch presented the petition of numerous citizens of Brazos county, "asking that the fees of county officers be not reduced below the fees allowed by the act of 1848, as lower fees than allowed then will not pay and secure competent men for those offices."

Referred to Judiciary Committee No. 1.

Senator Terrell presented the petition of many citizens of the city of Austin, "protesting against the passage of the bill granting a new charter to said city, giving many reasons for the same, but mostly local in their character.

Referred to Committee on State Affairs.

Senator Ford, Chairman of Committee on Indian Affairs and Frontier Protection, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Indian Affairs and Frontier Protection, to whom was referred Senate Bill No. 295, "An Act to suppress lawlessness and crime in certain portions of the State," have had the same under consideration, and report it back to the Senate and recommend its passage.

FORD, *Chairman.*

Senator Henry of Limestone, Chairman of Committee on Public Claims and Accounts, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Claims and Accounts, to whom was referred Senate Bill No. 204, "An Act for the relief of James Harding," also a petition and accompanying papers on the same subject, would respectfully ask that the bill, petition and accompanying papers be referred to the Finance Committee.

J. R. HENRY, *Chairman.*

Report adopted and bill referred to Committee on Finance.

Senator Smith introduced a bill entitled, "An Act to provide for the detection and conviction of all forgers of land titles."

Read by caption and referred to Judiciary Committee No. 2.

Senator McCormick introduced a bill entitled: "An Act to fix the times of holding the District Courts of the Eighteenth Judicial District of the State of Texas."

Read by caption and referred to Judiciary Committee No. 2.

Senator McLeary introduced a joint resolution, "providing for the auditing of certain claims for cotton against the State."

Read by caption and referred to Committee on Public Claims and Accounts.

Senator Brady introduced a bill entitled: "An Act to amend an act entitled, "An Act to organize the District Courts and to define their duties and powers and jurisdiction," passed May 11, 1846.

Read by caption and referred to Judiciary Committee No. 1.

Senator F. M. Henry introduced a bill entitled: "An Act for the relief of railroad and other internal improvement companies."

Read by caption and referred to Committee on Internal Improvements.

Senator Francis introduced a bill entitled: "An Act to incorporate the Magnolia and Trinity River Bridge Company."

Read by caption and referred to Committee on Roads, Bridges and Ferries.

Senate Bill No. 64, "An Act to validate certificates of acknowledgments of married women to deeds of conveyance, letters of attorney, and other written instruments," was taken up, read second time and ordered engrossed.

Senator Wortham, from the Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared, and find correctly enrolled Senate Bill No. 289, entitled, "An Act to abolish the office of Notary Public as it existed prior to the adoption

of the present Constitution." The same has been properly signed and presented to the Governor this day at 10 o'clock A. M., for his approval.

WORTHAM, *for Committee.*

Senator McLeary, from the Committee on Judiciary No. 1, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 126, entitled, "An Act to fix the time of holding the bi-ennial sessions of the Legislature of the State of Texas," have had the same under consideration, and instruct me to report the bill back to the Senate, and recommend its passage.

McLEARY, *for Committee.*

The resolution of Senator Douglass, "limiting the Senators to speeches of five minutes in length, without the consent of the Senate," was taken up and read.

Senator Douglass offered the following amendment:

"*Provided*, this rule shall not apply in Committee of the Whole."

Adopted.

The resolution, as amended, was then lost by the following vote:

YEAS—Senators Blassingame, Douglass, Francis, Guy, Henry J. R., Henry F. M., McLeary, Moore, Motley, Smith, Thompson, Wortham—12.

NAYS—Senators Ball, Brady, Brown, Burton, Carroll, Crain, Edwards, Ford, Hobby, Ledbetter, McCormick, McCulloch, Piner, Ripetoe, Stephens—15.

NO VOTING—Senators Grace, Martin, Terrell—3.

Senate Bill No. 60, "An Act to be entitled 'An Act to amend Section 2 of an act better defining marital rights of parties,'" passed March 13, 1848, being the special order, was taken up and read the second time, with the majority and minority reports.

On motion of Senator Brady, the bill was postponed, fifty copies ordered printed, and made the special order for Wednesday week, and from day to day until disposed of.

The President, after publicly reading its caption, signed House Bill No. 318: "An act to provide for the public printing and stationery by contract."

The hour for the special order having arrived, to-wit: Senate Bill No. 216, "An Act to establish and provide for the support and maintenance of an efficient system of public free schools," on motion of Senator Crain, the Senate went into Committee of the Whole on the bill.

Senator Crain called to the chair.

Senator Crain, Chairman of the Committee of the Whole, reported that the committee have had under consideration the aforesaid Senate Bill No. 216, have made some progress in the consideration of the same, and asked leave to sit again.

On motion of Senator McCormick, Senator McLeary was excused for to-morrow.

On motion of Senator Stephens, the rules were suspended, and Senate Bill No. 263, "An Act to provide the time of holding District Court in the Twelfth Judicial District," was taken up and read the second time.

Senator Ball offered the following amendment:

Amend by inserting the following: "Haskell and Throckmorton counties be attached to Young county for judicial purposes."

Adopted.

Senator Stephens offered the following amendment :

Add to the caption, " And attach certain counties therein named for judicial purposes."

Adopted.

The bill was then ordered engrossed.

Senator Stephens moved a further suspension of the rules to place the bill on its third reading.

Carried, by the following vote :

YEAS—Senators Ball, Blassingame, Brady, Burton, Carroll, Crain, Douglass, Edwards, Francis, Ford, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—26.

NAYS—None.

NOT VOTING—Senators Brown, Grace, Guy, McCormick, McCulloch—5.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Burton, Carroll, Crain, Douglass, Edwards, Francis, Ford, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Ripetoe, Smith, Stephens, Storey, Wortham—25.

NAYS—None.

NOT VOTING—Senators Brown, Grace, McCormick, Piner, Terrell, Thompson—6.

On motion of Senator Blassingame, Sidney Shepherd, page, was excused for the day.

Senator Ford, by leave, introduced a bill, entitled, " An Act to provide annual pensions for the surviving soldiers and volunteers of the Texas Revolution and the surviving signers of the Declaration of Texas Independence, and the surviving widows of such soldiers, volunteers and signers."

Read by caption, and referred to Judiciary Committee No. 2.

Senator Wortham, by leave, submitted the following report.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Printing, to whom was referred the communication of J. D. Elliott, tendering his resignation as Public Printer, and asking that his contract be rescinded, have considered the same, and instruct me to report the same back and recommend that the "resignation of J. D. Elliott, as Public Printer, be received and his contract rescinded."

WORTHAM, *Chairman.*

The report of committee adopted.

On motion of Senator Francis, the Senate adjourned until to-morrow morning, at 9 o'clock.

SIXTIETH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 27, 1876. }

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

The journal of yesterday adopted.

Senator F. M. Henry, from Judiciary Committee No. 1, submitted the following report: